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8/1/08UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Ricardo CORTEZ-Renteria,

Defendant

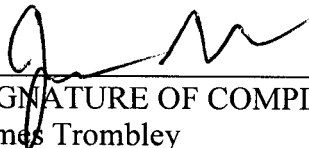
Magistrate Docket No. 1, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIACOMPLAINT FOR VIOLATION OF: *CFE* DEPUTYTitle 8, U.S.C., Section 1326
Deported Alien Found in the
United States

'08 MJ 2377

The undersigned complainant, being duly sworn, states:

On or about **July 30, 2008** within the Southern District of California, defendant, **Ricardo CORTEZ-Renteria**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 James Trombley
 Senior Patrol Agent
SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 1st DAY OF AUGUST 2008

 Jan M. Adler
 UNITED STATES MAGISTRATE JUDGE

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8/1/08**CONTINUATION OF COMPLAINT:****Ricardo CORTEZ-Renteria****PROBABLE CAUSE STATEMENT**

On July 30, 2008, Border Patrol Agent N. Johnson was performing uniformed line watch duties in an area Northeast of the Otay Mesa, California Port of Entry. At approximately 8:00 p.m., Agent Johnson responded to a seismic intrusion device in the area. Upon arriving in the area and after a brief search, Agent Johnson found four individuals hiding. Agent Johnson approached these individuals and identified himself as a United States Border Patrol Agent and questioned all four individuals, including one later identified as the defendant **Ricardo CORTEZ-Renteria**, as to their citizenship and nationality. All four admitted to being citizens and nationals of Mexico without any immigration documents to be or remain in the United States legally. All four subjects including the defendant were arrested and transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **02/28/2001** through **El Paso, Texas**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.